

## Judicial Branch in a Flash Activity

# Judicial Branch in a Flash

Name: \_\_\_\_\_

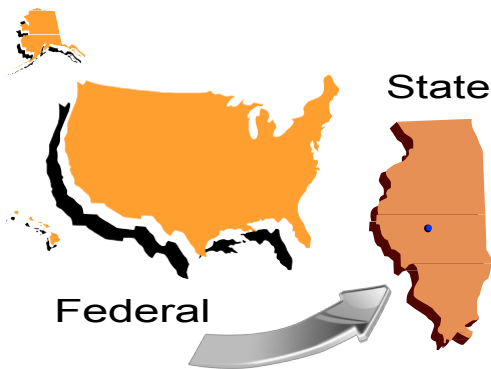
## It's All About the Robes

Actually, it's not. The cool black robe judges wear is the first thing a lot of people think of when they hear the word "judicial." But the first thing you really need to know is how courts were created. The only court the United States Constitution actually creates is the **Supreme Court**—the highest court in the country. The Constitution also allows Congress to create other courts. When Congress created those courts, the federal court system was born.



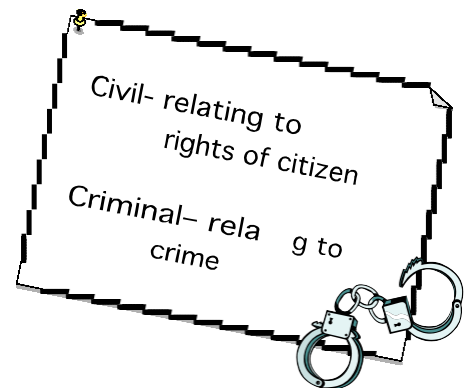
## Federal? State? What?

Here's the confusing part: There are two systems of courts in the United States. The **federal court system** deals with disputes about laws that apply to the entire United States. **State court systems** mostly deal with disputes about state laws. Each state has its own court system created by its own state constitution. Whether people take their case to a federal or state court depends on the laws involved in the case. The good news is that state court systems usually work just like the federal court system.



## Criminal v. Civil

Most trials you see on TV involve a person who has been accused of a crime. But **criminal cases** are not the only kind of cases that go to trial. Sometimes people have a disagreement that they can't resolve on their own. Often one side feels that the other side violated their rights in some way. This kind of case is called a **civil case**. The goal of a civil case is not to find out whether someone is innocent or guilty, but to decide which side's version of the story is correct.



## You're On Trial!

The trial court is the first court to hear a case. Both the state and federal systems have trial courts. In the Federal system, the trial court is called a District Court. In the trial court, lawyers use **evidence** to try to prove that their client's side of the story is what really happened. Evidence can be almost anything—witnesses, videos, photographs, a letter, a piece of fabric, or even a murder weapon! In a **jury trial**, a group of twelve people listens to the evidence and decides who wins the case. That decision is called the **verdict**. In a **bench trial** there is no jury, so the judge gives the verdict.



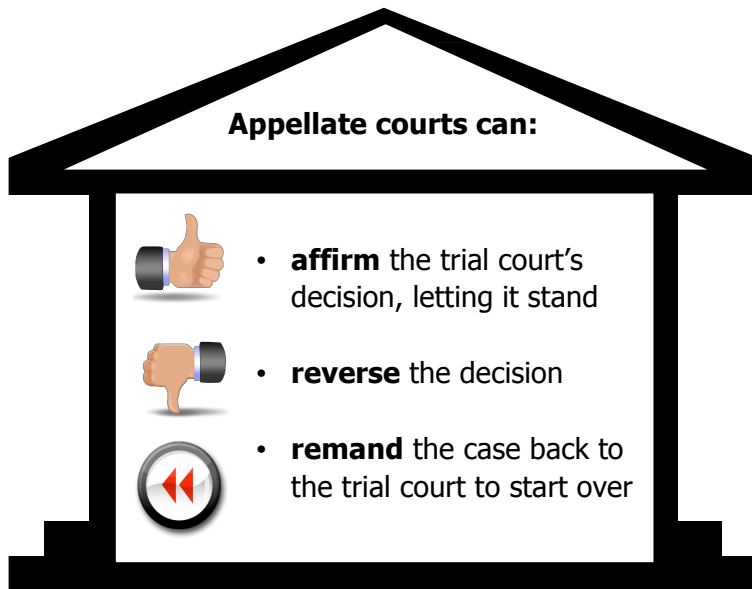
## It's Not Over Until It's Over

Losing in the trial court doesn't mean the case is over. The losing side can ask a higher court to look at the verdict and replace it with a different decision. The courts above the trial court are called **appellate courts**. The federal system and most state systems have two appellate-level courts: a Court of Appeals and a Supreme Court. (Your state might have a different name for these courts!) Asking an appellate court to review a case is called an **appeal**.



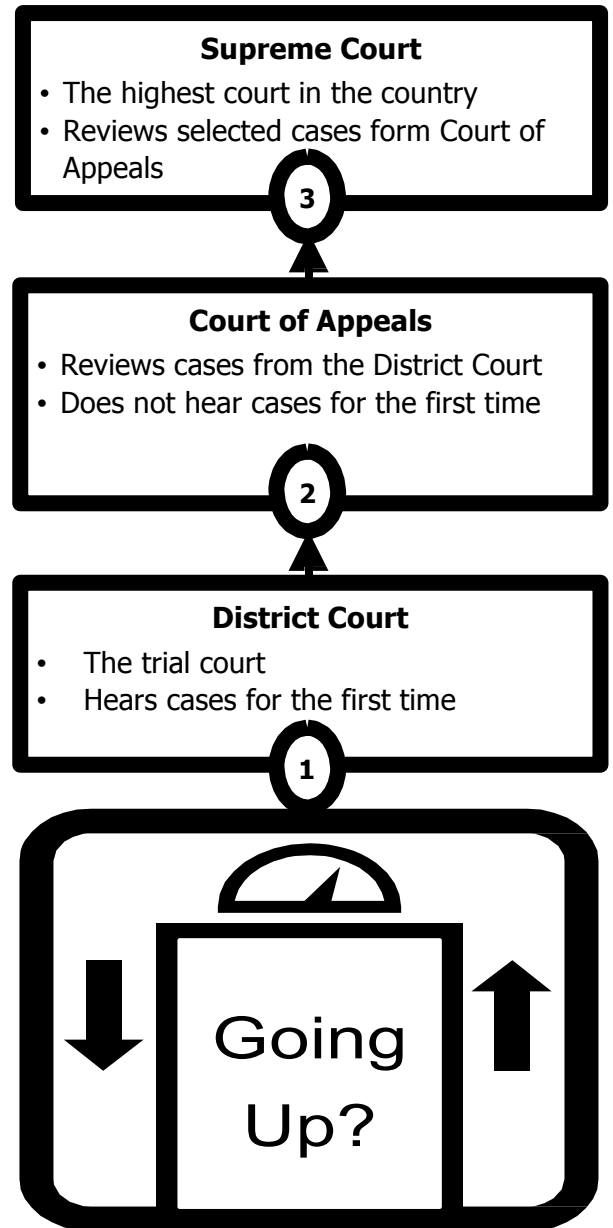
# Judicial Branch in a Flash

Name: \_\_\_\_\_



## Who Decides?

While a trial court only has one judge, most Court of Appeals cases are heard by a three-judge **panel**. There is never a jury. The three judges review the case to see if the trial court made a mistake. For the losing side in the Court of Appeals, there is one more chance: the Supreme Court, which is the highest court. There, a panel of nine justices reviews the case. (State supreme courts often have fewer justices.) The Supreme Court gets to choose which cases it wants to hear, and it doesn't choose very many!



The nine U.S. Supreme Court Justices in 2011.

## And That's Final!

Often, cases that make it to the Supreme Court are disputes about whether a law goes against the Constitution. Once the Supreme Court has struck down a law that is unconstitutional, that's it! Only the Court itself can reverse that decision. This power of deciding what is constitutional is called **judicial review**. The U.S. Supreme Court has this power over federal laws. State supreme courts have this power over state laws.

